

THIRTEENTH ANNUAL REPORT

OF

William J. Mullen,

PRISON AGENT.

JANUARY 1, 1867.

PHILADELPHIA:

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THIRTEENTH ANNUAL REPORT
OF
WILLIAM J. MULLEN,
Prison Agent,
January 1st, 1867.

To

JOHN M. WETHERILL:

Chairman of the Committee on County Prison, of the "Philadelphia Society for alleviating the miseries of Public Prisons."

SIR:

The undersigned respectfully submits to your committee the following report of his labors during the past year, as well among the prisoners detained in our County Prison and awaiting trial or examination, as also in relation to discharged convicts.

The arrests made in our city during the past year amount to forty-four thousand one hundred sixty nine (44,169), and the number of commitments to the above mentioned prison was nineteen thousand four hundred sixty-eight (19,468), showing an increase of four thousand nine hundred ninety (4,990) in the arrests, and of two thousand nine hundred seventy-two (2,972) in the commitments, as compared with the year previous.

With this mass of depravity, misfortune and crime before him, intermingled with cases of absolute innocence, it has been the Agent's daily

occupation to select those cases which admit of relief, and to which he has given his most earnest attention; an occupation always laborious, always harrowing, and sometimes discouraging, yet often relieved by instances of conspicuous benefit to the friendless and unfortunate, which greatly cheer and refresh his spirit and encourage him in the work to which he is devoted. While thus over three thousand five hundred (3,500) cases have been examined and inquired into, with some twelve hundred (1,200) letters written and mailed on behalf of prisoners, the Agent succeeded in liberating during the past year fourteen hundred and eighty (1,480) persons from prison, of whom one thousand and seventy-eight (1,078) were males, and four hundred and two (402) females, besides twenty-seven (27) children that had been taken into the prison with their parents.

From a perusal of the Appendix to this Report, where the Agent gives the history of a few of the above cases, the reader will be better able to judge of the character of the various commitments, the majority of which are the result of rashness, intemperance and thoughtlessness on the part of prosecutors, of whom there are some indeed unprincipled enough to use the law for the gratification of their vindictive feelings, and others base enough to make it subservient to their thirst for gain; to all such extortioners, however, the Agent proves himself a thorn by exposing their baseness and by protecting their victims.

It is not to be inferred, however, that all those released were innocent of the offences with which they were charged;—indeed many were guilty, but it must not be forgotten that the guilty alike with the innocent are entitled to human sympathy and human charity; and although the Agent wishes it to be understood, that it is not his desire to shield the guilty or defeat the ends of justice, still he has not failed to interfere in all those cases where the offences were so slight, or accompanied by such mitigating circumstances as to make a longer confinement not only oppressive, but unjust. By promptly interceding with the proper authorities in cases of a slight character, he has been enabled to restore the husband and support to their suffering families, the mother to her children.

Although the Agent is desirous to view his labors from the humanitarian side of his duties, still it may not be out of place here to state, that as all those cases in which releases have been obtained through his interference, were committed to be tried in Court, and would in the ordinary proceedings of the law, have had to be brought before a grand jury; they form also an item of considerable saving of precious time to the Court and jurors, and of unnecessary expense to the county, besides being a saving to the 1,480

prisoners within the year of an aggregate of forty-three thousand five hundred and forty-five days (43,545), or nearly one hundred and twenty years (120) of unnecessary suffering and anxiety.

The liberation of the persons referred to, saved the tax-payers, during the past year, the sum of seventeen thousand two hundred and ninety-three dollars (\$17,293), of which eight thousand five hundred and eighty-four dollars (\$8,584) would have had to be paid for ignoring their cases at \$5. $\frac{80}{100}$ each, and eight thousand seven hundred and nine dollars (\$8,709) would have been required for their maintenance at twenty cents a day each, had they been detained in prison until the earliest period in the term of the Court for disposing of their cases.

The whole number of persons released through the Agent's interference during the past thirteen years, has been eighteen thousand eight hundred and eighty-three (18,883), at a saving to the county of one hundred fifty-eight thousand and sixty-four dollars fifty-eight cents (\$158,064. $\frac{58}{100}$), facts, which from their pecuniary view alone, would create an importance to the mission entrusted to your Agent.

While thirteen hundred ninety-four prisoners (1,394) obtained their liberty through the Agent without cost to themselves, but eighty-six (86) were required to pay the sum of two hundred and ten dollars thirty cents (\$210. $\frac{30}{100}$), or an average of \$2. $\frac{44}{100}$ each to magistrates and other officials.

Of the original number of commitments, there were discharged by the Court, 284; by magistrates, 6,865; by inspectors, 8,140; by various other authorities, 1,308; and prisoners whose terms of punishment expired during the year, 2,313.

While the arrests for various offences during the year numbered more than forty-four thousand (44,000), only four thousand nine hundred and twenty eight (4,928) cases reached the grand juries, of which two thousand one hundred sixty-two (2,162) cases were ignored, and two thousand seven hundred sixty-six (2,766) true bills found. Of these, five hundred and thirty-seven (537) were convicted, sentenced and recommitted to prison. This was done at a cost of thirty-six thousand and seventy-two dollars forty-five cents (\$36,072. $\frac{45}{100}$), which formed the expenses of the Criminal Court for the year 1866. This sum does not include the remuneration of the judges, as they are paid by the State; and here we are happy to remark that the Legislature has at last wisely increased the salaries of our judges to something nearer an adequate compensation for their valuable services, connected as they always are with excessive labor and many very onerous duties. Besides this, an additional judge has been

added to the Bench, which will in a great measure relieve them from the inordinate pressure of business heretofore existing. It is also a matter of congratulation to the community that by such a large majority Judge Allison has been elected President Judge, and Judges Pierce and Brewster, Associate Judges. These gentlemen, together with Judge Ludlow, form a bench of upright Judges, to whom we can safely look for a wise and just administration of the law under all circumstances, and to a strict discharge of their duties, however onerous these may be; in fact, their integrity and character are so favorably known to and appreciated by the community, as to make further comment unnecessary. We give the following account of their inauguration as we find it in the Dispatch of December the 9th:—

THE NEWLY ELECTED JUDGES.

The Court of Common Pleas, on Monday last, presented an unusual and most interesting spectacle. There was at that time but one Judge of the tribunal, clothed with the authority of the law, and holding office. Three gentlemen who, by the express voice of the people, had been chosen to discharge the duties of Judges for ten years, were about to take the official oaths which bound them to the faithful discharge of the great trusts reposed in them. The Bar was crowded with members of the profession, anxious to witness a ceremony unusual, in consequence of the number of new Judges participating in it, and of much import and solemnity. The official oath having been administered by Judge Ludlow to the President, Judge Allison, the latter administered it to his colleagues, Messrs. Pierce and Brewster. The ceremony was not long in its performance; but it was impressive in consequence of the feeling that it was of the gravest importance to the rights and happiness of every person in the community, and it was made more emphatic at its close by the judicious and persuasive address of Judge Allison, which, although brief, was exceedingly appropriate, in good taste, and pregnant with suggestion. A community is blessed which has pure and honest Courts, anxious ever to do right between man and man, and resolute in the vindication of law. The City of Philadelphia is to be congratulated that it has excellent local judiciary. The Judges of the District Court are eminent for their learning and impartiality; and the Judges of the Common Pleas, under the late administration, have been laborious, faithful, and just. There could not have been a better working tribunal than that which was composed of Judges Thompson, Allison and Ludlow. The appointment of Judge Pierce has been very satisfactory, and his course during his short term of office has been most faithful and impartial. His election upon the expiration of the term for which he was appointed was justly earned, and he gives every promise of value. Judge Brewster is yet to be tried. His fine legal mind, his extensive range of professional knowledge, his quickness and tact, have rendered him a most successful advocate. He has all the personal qualities which are needed in a Judge; and if he remains upon the bench, will give entire satisfaction. We say *if he remains*, because it is known that he will be, or has been, pressed upon Governor Geary for the Attorney-Generalship of the State.

We should regret his appointment ; for, although the State would get an able Attorney-General, the Bench would lose one who would ornament it as a Judge, and who has received a flattering mark of the esteem of the people in the late election by a very handsome majority.

We believe that the public are satisfied with the Court as it is, and wish no change ; and we may say, in view of the fact that the term of Judge Ludlow expires in 1867, we hope that our citizens will unite in requesting that he will be a candidate for another term, and that he will be elected by the popular vote without regard to party. He has discharged his duties with singular industry, unimpeachable honesty and fearlessness ; and as a faithful servant of the community, he deserves this honor as a token of thankfulness for his undoubted impartiality, learning and merit.

The following is an extract from the presentment of the Grand Jury to the Hon. Joseph Allison, Judge of the Court of Oyer & Terminer and Quarter Sessions, in January last :

“The Grand Jury are of opinion that the establishment of a Police Court, with powers specifically defined by law, before which all cases of petty misdemeanors should be heard and decided immediately, would not only save the time of each Grand and Petit Jury, and this Court, and the time of witnesses, but would be an immense saving to the County in the item of costs, and a real good to the parties interested.

“The Grand Jury are also satisfied, under existing laws, very many of the trifling cases that come before them, might and would be settled by the parties themselves, if the Magistrates before whom the cases are heard would give proper instruction and advice. The Grand Jury are compelled, after careful investigation, to report their opinion that three-fourths of all the crimes charged in the bills that have come before them may be traced, either directly or indirectly, to the sale and immoderate use of intoxicating liquors ; and these crimes are frequently committed in and around those places thus licensed by law ; which fact, we think, calls for a revision and improvement in our license system. That this traffic, so pernicious in all its tendencies, and so injurious to the morals of the community should not only enjoy the protection of law for six days of the week in common with honest and respectable avocations, but that it should have the sole and exclusive right to violate the law of the Sabbath, which is plain on the statute-book, is a matter which calls for prompt and vigorous action.”

In the Grand Jury's presentment of March last, they say :

“The Grand Jury are also of opinion that some change ought to be made in the mode of payment to Committing Magistrates ; and it should not be dependent upon the costs of the cases. In some of the cases which have come before the Grand Jury, the prosecutors were not even aware that any bill had been found, and in others the crime, if any, was so trifling, as, for instance, the larceny of a towel, that it really seemed to the Jury as if the matter had been carried on merely to increase the costs. If the Committing Magistrates had fixed salaries without costs, the Grand

Jury are confident that the labors and the costs of the Court would be very much diminished. The County Prison is much overcrowded, and shows fully the necessity of the oft recommended House of Correction. The Inspectors are very efficient and attentive to their duties, and the Prison Agent, Mr. William J. Mullen, wins golden opinions by the kind and considerate manner in which he discharges his duties. In several cases of a trivial character which came before the Grand Jury, they adopted his recommendations, and released the prisoners by ignoring their bills, who on his behalf were entitled to that leniency.



INTEMPERANCE AND ITS CONSEQUENCES.

The great object of law is the *prevention* of injustice and crime. The lawgiver who enacts laws for the punishment of crime, and the philanthropist who seeks to alleviate the miseries which result from its commission, must seek out the hidden sources of crime, if they would render their labors salutary and efficient. Your Agent repeats with emphasis, what has been confirmed by the experience of his lifetime, what he has unceasingly urged upon the attention of the public, and what has been repeated in the presentment of every Grand Jury, and by every enlightened jurist, that the great instigator of the crimes which afflict and appall the community, is Intemperance. Its terrible evils are only partially seen in the statistics of our prisons and almshouses, and in the records of the press. The firesides it has desolated, the reputations it has wrecked, and the lives it has shortened and destroyed, are known only to Omniscience. Could a faint conception even of the miseries it has entailed be impressed upon the mind of the community, the horror awakened by the disclosure would lead to measures for its overthrow, in some degree at least commensurate with its magnitude. Experience has shown, however, that an evil may silently attain to the enormity of outrage worked by intemperance, and yet be scarcely suspected by the great body of the community which it is actually desolating. Until some terrible crisis is reached, men, immersed in the cares of business enterprise, can scarcely be expected to look carefully into the causes which are undermining the public morals. Your Agent, therefore, offers another argument, showing the extent of the evil, and appealing on other grounds for its suppression. He has shown in another part of this Report, that in the city of Philadelphia alone, no fewer than forty-four thousand one hundred and sixty-nine (44,169) arrests were made by the police force during the past year. The records of the Courts and Aldermen

show that of these arrests, at least three-fourths ($\frac{3}{4}$) were cases of disorder arising solely from the use of intoxicating liquors. In other words, if some adequate measures for the suppression of the traffic in rum had been devised and carried into effect before the first of January, 1866, three-fourths of all the vast and expensive machinery now needed for the suppression of crime, could have been dispensed with during the last year. To that, and to a much greater extent would the burden of the tax-payer have been diminished. The hands which in that time have been withdrawn from useful labor, and have been engaged in works of mischief, would have been spared to the pursuits of honest industry, and our city would have been enriched by the fruits of their labor. To estimate merely the pecuniary cost of intemperance to our city, we must add to the sums paid annually for the support of our courts and officers of justice, and of our prisons and almshouses, the untold sums which have been lost to the pursuits of business, by the crimes, disease and death of the thousands who have been withdrawn from their proper avocations, and have become a prey to strong drink. The most alarming feature of the evil seems to be in its power of propagation. The number of rum-shops which have sprung into existence during the past twelve months is incredible. It has been estimated by those amply competent to know, that there are as many tippling houses in Philadelphia, at this time, as there are public lamp-posts in the streets. In a single district in this city the number of Inspectors appointed by Government, at a salary in each case of five dollars per day, for the supervision of the manufacture of whisky alone, is more than four hundred (400,) and even that number has been found inadequate to keep pace with the amount produced of this single stimulant. Some idea may be formed of the fearful number of tavern licenses granted to retail dealers in intoxicating liquors, from the fact that within the past year two hundred fifty-seven thousand four hundred sixty two dollars (\$257,462) have been paid into the State Treasury for the licenses of rum-shops in the State of Pennsylvania; of this sum from the city of Philadelphia alone, one hundred sixty-six thousand three hundred eighty four dollars thirty nine cents (\$166,384 39) were paid for the privilege of establishing so many pest-houses, to fix, like moral plague-spots and festering sores upon the surface of our otherwise beautiful city. This state of things should be remedied by the enactment of a *prohibitory liquor law*.

We would here remark, as we have uniformly done in our Reports for the last thirteen years, that it is greatly to be regretted that our City Councils have not yet made an appropriation for the building of a House of Correc-

tion. Such an institution is imperatively required, in order to relieve the the present overcrowded state of our prison of drunkards and vagrants, who might be made to work and earn their keep but who, under the present arrangement, are supported in idleness, thereby interfering with the legitimate business of imprisoning convicts, who are now crowded, in many instances, three and four in a cell, instead of one, as the law requires. It is to be hoped that Councils will act promptly on the subject, and make the necessary appropriation without any further delay.

The Agent considers it one of his most important duties to take special charge of the convicts as they leave the prison at the expiration of their sentences, and to conduct them to some establishment where they can get employment; or, failing to do this, to supply them with temporary homes at the House of Industry, or elsewhere if necessary. In many instances where they are likely to get in with their old associates in crime the Agent prevails upon them to leave the city and go where they are likely to find friends and such assistance as would enable them to make an honest living. In such cases he supplies them with sufficient money and such clothing as is adapted to their wants and condition, in order to prevent their being pointed at as jail birds, which might be the case if allowed to go forth in their prison clothes, in which condition moreover it would be impossible for them to obtain employment, and they would from necessity be driven back again into crime. They are also supplied with railroad tickets to take them to such places as they desire to go to. It is gratifying to know that many, who have been thus aided, are now respectable and useful members of society.

The economical and judicious management of our Prison Inspectors is deserving of all praise. The Board continue to have the able services of the Superintendent, Mr. Wm. B. Perkins, whose long experience in Prison management eminently fits him for the discharge of the duties assigned him. It is mainly due to their combined efforts in providing for the cleanliness of the Prison, and adopting such wise and timely sanitary measures, previous to the appearance of the cholera, that, while nine hundred persons fell victims to this scourge in our city, there were but six cases of it in the Prison, one of which only resulted in death. Great praise is also due in this respect to the Prison Physician, Dr. Henry Y. Smith, for his indefatigable labors and skilful treatment of the sick.

The moral instruction, given on the Sabbath by the clergy of different

denominations, under the supervision of the Agent, continues to be satisfactory and productive of much good.

Of the persons released during the past year, thirty-eight were proper subjects for the Insane Asylum. The Prison Physician certifying as to their condition, the Agent procured their discharge and saw that they were taken to the Asylum. They had been sent to Prison for various offences of a trifling character.

The Agent desires to thank the Judges and Officers of the Court for their continued confidence and good feeling toward him. Their courtesy and kindness, which they have at all times shown him in his various transactions with them, have greatly facilitated him in his labors.

The general approval of the Press and the support and kind co-operation of the Inspectors as well as that of your society encourage the Agent in the prosecution of his duties.

The Agent feels that he has great cause to be thankful to the Author of all Good that his life has been spared, and that he has been permitted to continue in a position of usefulness, especially so, while cholera visited our city and when duty called him forth into the midst of the disease for the purpose of settling cases; as it was necessary that an extra effort should be made in order to thin the population of the Prison and prevent the spread of the disease. It is a source of much gratification to him that his earnest endeavors have thus far contributed to that good result which our Prison Annals show in the record of but a single death during the year from this devastating scourge.

All of which is respectfully submitted,

W. J. MULLEN,

Prison Agent.

The following remarks are extracted from the Report to the Society for 1866. They are from the pen of the Hon. JOS. R. CHANDLER, whose position as an Inspector and an active member of the Society gives him an opportunity of knowing how the duties of the Agent have been discharged :

AGENT.

The Society has the services of Mr. WM. J. MULLEN as its Agent to look to the wants of the untried prisoners, to endeavor to reconcile jarring feelings and interests that have led to an appeal to the law, and also to look after the interests of the convict that is to be discharged from Prison. Mr. MULLEN is extensively known in the work of benevolence, but he is better known to the unhappy families whose disturbances call for interference, than to those to whom this report will appeal. Children, whose fathers have had their heads broken and whose mothers have had their hearts wrung, appeal to Mr. MULLEN as if he was the Providence of their kind; and while he uses persuasion with prosecutors, with the aldermen, and the officers of the law, he procures the release of those through whom comes the daily bread of the family. The old and the young seem to regard his ability to persuade others as an absolute power which immediately *grants* what in reality it only procures.

The amount of domestic misery thus alleviated is beyond all calculation. None can appreciate the blessings diffused among the poor by the good offices of the Agent of this Society, but those who witness the restoration to their families of beings whose sober second thought has led to professions of resolutions that have secured their release. The public have an interest in the success of Mr. MULLEN's labors, as the demands from the Courts upon the treasury of the city are greatly diminished by the number of those he saves from trial, while the arrangement of the cases are not in violation of the true principles of justice.

We also quote the following from the Annual Report of the Prison Inspectors of 1866, written by Dr. BIDDLE, the President of the Board, who is fully acquainted with the labors of the Agent. As it gives the views of the Inspectors on this subject, we insert it.

"The services of the Agent, Mr. WILLIAM J. MULLEN, are eminently useful and acceptable, in the performance of the peculiar duties which devolve upon him. The Board entertain undiminished confidence in his integrity and zeal in the execution of the delicate and responsible functions of his office. The records in the Agent's Journal furnish abundant evidence that the present system of magistracy is an engine of fraud, extortion and oppression. The duties of this officer are chiefly devoted to the abatement and restraint of oppressive and illegal acts on the part of committing magistrates."

SCHEDULE

Of the offences of which the parties were accused showing the number of cases discharged from the Philadelphia County Prison from January 1st, 1866, to January 1st, 1867, through the interference of W. J. MULLEN, Prison Agent, their further detention not being deemed necessary, as it did not appear, upon investigation, that they were guilty, or if so, as was the case in some instances, the punishment they had already suffered was regarded as sufficient.

OFFENCES.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	TOTAL.
Abuse and Threats....	6	2	6	11	14	4	11	17	13	7	5	5	101
Adultery.....	...	...	...	...	...	...	...	2	1	2	2	...	7
Assault	1	2	...	4	1	2	5	5	10	2	9	4	45
Assault and Battery...	25	14	39	19	37	44	42	31	37	27	33	22	370
Assault and Threats...	6	9	3	3	15	5	3	4	4	1	7	7	67
Br'ch of Peace & Th'ts.	4	4	4	5	2	6	7	7	7	...	3	1	50
Concealed Weapons...	...	...	...	3	2	1	3	3	4	...	1	1	18
Desertion (Wife).....	...	1	3	...	...	1	1	...	...	...	1	1	8
Disorderly House.....	1	2	2	...	4	9	...	7	4	...	1	1	31
False Pretence .....	...	...	1	...	...	1	3	1	...	2	1	2	11
Forgery, Fraud and } Embezzlement... }	1	...	...	...	2	3	1	1	...	1	1	2	12
Homicide .....	...	...	...	...	...	...	...	...	...	...	1	...	1
Indecent Exposure....	...	...	...	1	1	...	...	1	6	...	3	1	13
Larceny.....	10	11	20	21	15	16	18	17	13	11	24	13	189
Misdemeanor	24	57	55	46	31	32	60	52	32	26	30	29	474
Malicious Mischief....	5	3	4	3	8	11	11	6	2	1	5	4	63
Riot.....	...	3	...	...	5	...	2	1	...	5	2	...	18
Witness (Dr.'s Prison).	...	...	...	...	...	...	...	...	1	1	...	...	2
Total.	83	108	137	116	137	135	167	155	134	86	129	93	1480

The following extract is from the Visiting Inspectors' Report of January:

Mr. MULLEN closes another year's labor which has, it is believed, produced good to many whose cases he has settled, and certainly the city is saved much unnecessary expense, consequent on trials, by his interfering between the prosecutors and accused. A perusal of some of the reports of cases, made by Mr. MULLEN in his monthly statements, will satisfy the Board that his labors are of a kind which few could accomplish; and such, it is believed, as few, reviewing the kind of persons with whom he is brought in contact, would be willing to undertake. The Visiting Inspectors have reason to believe that the Judges of the criminal Court of the County highly appreciate the services of Mr. MULLEN.

The following is a Selection of Cases illustrating the commitments and their character :

NUMBER 1—Was the case of a German woman, who had been committed upon the charge of shop-lifting. She had been sent to prison with her son, an intelligent little boy of about nine years of age, together with a German man who was supposed to be her accomplice. At the time of their commitment the parties declared their innocence in the most positive manner, which prompted the Agent to investigate the case at once. He saw the prosecutrix, a lady, who most positively identified the prisoners as the parties who came to her store, and while she was attending them robbed her of a piece of dry goods. With such conclusive evidence against them the Agent dropped the case, believing it not to be proper for him to interfere any further in the matter, and did not do so until just previous to the case coming to trial, when he was waited upon by two of the lady visitors of the prison who had seen her in her cell, and after listening to her sad story of mental suffering, deeply sympathized with her, and requested your Agent to again interest himself in her behalf, supply her with counsel, and make a further investigation of the case in the hope of proving her innocence if possible. The request was complied with, and by an extra effort the Agent succeeded in convincing the Court and jury that this woman and her supposed accomplice were entirely innocent of the charge brought against them. We proved an *alibi*, and showed to the satisfaction of all that the robbery had been committed by her twin-sister, who had dressed herself in her clothes, which were peculiar, and the bonnet commonly called a shaker, which the prisoner was in the habit of wearing, was not to be mistaken. In these articles the sister was dressed when she committed the robbery, and thus attired it was difficult to tell one from the other, the twin-sisters being so much alike. The Agent succeeded in proving by the Commonwealth's witnesses, with the aid of able counsel, that the prisoner had not been out of her house on that day, but that her sister had been out and had admitted that she (the sister) had stolen the property. This admission was also made to a person who saw her drop the piece of dry goods just as she was leaving the store, and who picked it up and took it to the owner. The thief immediately left the city, and the prosecutrix believing the prisoners to be the guilty parties, at a subsequent period had them arrested and committed to prison, where they had remained for nearly two months before their innocence could be established. As it was, the mother, her child, and the man prisoner, were all three honorably discharged. Mr. Mann, the District Attorney, prosecuted the case in person, questioning and cross-questioning the witnesses with great care, and particularly so in the case of the prisoner's little son, whose testimony in reference to his mother was of a most interesting character.

NUMBER 2—Gives an account of the illegal and improper imprisonment of a man upon the charge of perjury. Owing five dollars for board, he took a valuable coat of his own to a pawnbroker's and pledged it for three dollars. This money he gave to his landlady on account of his indebtedness, handing her at the same time the pawn-ticket to hold as security for the remaining two dollars due to her. Subse-

quently he went to the pawnbroker, and informed him that he had lost a ticket representing a coat, which he wished to redeem. This was not the coat for which his landlady held the ticket, but a different article that he had pledged on a former occasion. It was necessary that he should go before a magistrate to testify that he had lost the ticket, having done which he received his coat from the pawnbroker. The landlady heard of this transaction, and supposing it to be the coat for which he knew that she held the ticket, had him arrested and committed to prison upon the charge of perjury. He remained in prison from the 4th of April to the 30th of June, a period of nearly three months, before the Agent succeeded in getting him discharged by the Court. The Agent had repeatedly demanded his release from the District Attorney and from the magistrate without success, and it was not until he had the prisoner brought before the Court twice, supplied him with counsel, and produced the lost ticket, which had since been found, that he could obtain his discharge. It was then decided by the Court that the prisoner had been illegally committed, and that the charge, even if true, was not an indictable offence, the oath being an extrajudicial one, not recognized by the law; but as it was, the charge was not true, for the lost ticket had been found and was produced in Court, while the landlady still held the other ticket in her possession. After all this explanation had been entered into the prisoner was discharged, with his health greatly impaired from the confinement and suffering which he had undergone. His mind also was seriously damaged, and for this reason the Agent took particular charge of him, gave him some money, and had him taken to the House of Industry and placed under the care of the physician and officers of that institution. He was not long there, when in a fit of delirium he attempted to commit suicide by jumping out of the attic window of the institution; the poor man was picked up from the pavement insensible, with both legs broken, and with such other internal injuries as it was feared would render life uncertain. He was removed to the Pennsylvania Hospital, where he will receive such surgical treatment as his case may require. He is really an object of pity; all who saw him felt a deep interest in him. He was a Frenchman, well educated, a stranger in our city, and had for a short time occupied a lucrative position in the foundry of Merrick & Sons. He was genteel in appearance and dress, of temperate habits, and had always paid his board bill promptly while he was in employment.

NUMBER 3—Represents a father, mother, and four children, who had been committed upon the charge of larceny, which consisted in the taking of a boy's shirt by one of the children from the clothes-line in the yard of a dwelling-house. The owner of the shirt saw the boy take it and give it to his mother, who was in an adjoining house, where the family had been sheltered for the night by the kindness of the proprietor, who saw that they were strangers, and took them in and provided for them. The owner of the shirt informed the police of the larceny, and the whole family were arrested and brought before the Magistrate in Manayunk, where the occurrence took place. The two little boys were accused of stealing the shirt, and the father and mother were charged with receiving stolen goods, and the four were committed to prison for the offence, together with their two little innocent daughters. They

were friendless in our city, having only just arrived here from Canada, which they had left on account of the Fenian troubles. A brother-in-law had written to them, advising them to leave Canada and to come to Elmira, in this State, where he lived, stating that he could procure employment for the father of this family as a moulder or worker in a machine-shop; but when they arrived at this place, they met with a great disappointment, business had become very slack, and no employment to be found; the brother-in-law himself had left the place. Having expended all their money in coming from Canada, they concluded to travel on foot to this city, in the hope that the man might find some employment here, as he was a good machinist, and a sober, industrious man. They had been in good circumstances, and never in a difficulty of this character before. As soon as they had been committed to prison, the Agent interested himself in their behalf, and saw that they were discharged by the proper authorities, with the consent of the Magistrate, Prosecutor, Lieutenant of Police, and everybody else concerned, who, no doubt, were all heartily ashamed of having had anything to do with the case. The Agent procured a free passage for the whole family to New York, had them taken in a carriage from the prison to the wharf, gave them some money, and saw them leave. They had friends in New York, who would assist them till the man might procure employment, and earn enough to take them back to Canada, where he could make a good living for his family. This man and his two daughters were not in any way connected with the taking or receiving of the shirt. It was taken by one of the little boys, who wanted a clean shirt to put on, and the mother was in the act of reproving him for taking it when they were all arrested and committed to prison, before the mother had time to take it back to the owner. They were truly grateful to the Agent for his prompt interference in getting them released without cost or delay, thus saving them from being detained in prison during the summer months, as their case could not have been tried before August or September, a delay which might have been most damaging to the health of their little children.

NUMBER 4—Was the case of a wounded soldier, who had been committed to prison upon the charge of reckless driving, and assault and battery. He had been discharged from the army with honorable mention of his meritorious services. Besides the many scars and wounds which he had received upon his person, he had lost three fingers of his right hand while fighting in the defence of our country. In consequence of the unavoidable delay in giving pensions to so many, he had not yet received anything from the Government. He was poor and friendless; and while in this condition, his venerable and pious old mother took her bed-quilt and several articles of her best clothing and furniture and pawned them; and in this way raised a sum of money sufficient to purchase a horse and wagon, and a stock of vegetables to enable her son to gain a living for himself and his mother. While engaged in this business in a crowded thoroughfare, surrounded by vehicles of various kinds, his horse became unmanageable, and mainly from the fact that he had but a thumb and one finger to hold it with, he was unable to check the animal's career. The consequence was, that in dashing along, the horse came in contact with a passenger-car, damaging it, and injuring one of the horses belonging to the Railway Company.

He was arrested upon the spot by several policemen who had witnessed the occurrence, and who in the excitement of the moment beat him severely. He manfully resisted the violent and unnecessary attack, was arrested, taken before a Magistrate, and committed to prison upon the double charge of malicious mischief, and assault and battery, of neither of which he was really guilty. Considerable damage had been done to the animal and property of the Railway Company, as well as some injury to prisoner's horse, and his wagon-shaft was broken. All this was the result of an accident, over which the prisoner had no control, but the cause of which was attributable to the prisoner's being a cripple, through having lost his fingers in the war. When he was incarcerated his good mother came to your Agent in great distress, and informed him of their powerless situation, exhibiting at the same time a handful of pawn-tickets, the evidence of the sacrifice which she had brought to assist her son. She feared that by this accident that had befallen him, all would be lost to them, and they would be ruined; the more so, as the officers had taken away the horse and wagon, and held it as security for damages and costs. The Agent at once interested himself in their behalf, took the pawn-tickets and his honorable discharge from the army, to the house of the President of the Railway Company, fully explained the prisoner's case to that gentleman, and gave such evidence of the distress that had been occasioned by his imprisonment, as induced the President of the Company to deeply sympathize with the prisoner. He went immediately to the Magistrate and ordered his release, without requiring any damages whatever. The police who had instituted the charge of assault and battery against the prisoner were seen, and satisfactory explanations given to them. They consented to withdraw their charge against him, and thus the prisoner was released from all charges without any costs to himself whatever, and discharged from prison. The Agent saw that his horse and wagon were restored to him in good condition, the shaft having been mended, which greatly rejoiced the prisoner, and also his good mother; both of whom gave such evidence of heartfelt gratitude at the successful interference of your Agent, as will always be remembered by him with pleasure, and cause him to feel thankful that he has been placed in a position to render such effective aid to an unfortunate wounded soldier who risked his life in defending his country.

NUMBER 5—Was the case of a woman who had been committed upon the charge of assault and battery, an offence of which she was not guilty. Upon an investigation it appeared that her husband had beaten her in a most brutal manner, and then had her arrested and sent to Prison on the above charge. The Agent found her in her cell in a prostrate condition, the result of ill treatment. She was the mother of two young children, one of whom was at the breast. When the husband was remonstrated with for his bad behavior he professed to be convinced of his error in maltreating his family and readily gave his consent to his wife's release. A discharge was obtained from the Magistrate, which the prosecutor took to the Prison at a late hour of the night, and the prisoner was allowed to return home and take charge of her little children.

NUMBER 6—Was the case of a man of unsound mind, whose connections were of

the highest respectability. He was imprisoned upon the charge of false pretence in reference to a debt of ten dollars. The Agent saw that he was released and taken charge of by his friends, who promised to take him to Doctor Kirkbride's Hospital.

NUMBER 7—Was the case of an interesting young woman, of prepossessing appearance, who had been committed upon the charge of larceny. She was within a few weeks of her confinement. Her husband was out of employment and unable to support her and she had been obliged to seek a place of service. She was destitute of the necessary clothing and particularly in want of shoes as the weather was extremely cold. Under these circumstances she was tempted to get a pair of shoes on credit under false pretences by obtaining them in her employer's name. The person from whom she got the shoes had her arrested and committed to Prison, but having subsequently been indemnified for his loss a nolle pros. was entered by the Court with his consent, and the prisoner was released. She was afterwards taken by her sister, under the direction of the Agent, to the Hospital in connection with the Female Medical College of Philadelphia, where she will be cared for until she gets through with her confinement.

NUMBER 8—Was the case of another woman who was near her confinement and who was an entire stranger in our city. She was the wife of a military officer, who had recently brought her here from Lynchburg, Virginia, received his pay from the Government and then left for Pittsburg, deserting his wife without making any provisions for her. She was sent to Prison for want of a home. The Agent procured an order from the Guardians of the Poor and had her sent to an Institution where she will be better cared for during her sickness.

NUMBER 9—Presents the curious fact of a colored man, who could neither read nor write, having been committed to prison upon the charge of forgery. There seemed to be some mystery about this man's imprisonment. He belonged to Virginia, was bred and born a slave, but was made free by the war. He had never been to school and was even unacquainted with the letters of the alphabet. He had been a soldier in the Union army. It is difficult to understand how a man could under these circumstances have been committed upon such a charge. He was known to have a considerable sum of money in his possession, which he had received for his services, and it is surmised that this might have had something to do with the absurd charge brought against him. The Agent brought the case to the notice of the United States Commissioner, who ordered him to be discharged. The prisoner being in bad health from a severe cold, contracted while in Prison, the Agent had him taken to the House of Industry, where he will be properly cared for until restored to health.

NUMBER 10—Was the case of an intelligent aged woman, who had been most cruelly persecuted by her husband. He had imprisoned her eighteen different times upon false charges for the purpose of getting her out of the way, the last time upon the testimony of his young housekeeper. The Agent saw that she was sup-

supplied with counsel and she was discharged by the Court. Subsequently the husband was prosecuted, and, by an order of the Court, he was required to pay her three dollars and fifty cents (\$3.50) per week in future for her maintenance. This has put an effectual stop to the cruel prosecutions that have been brought against her. The Agent has taken her to a temporary home where she receives good board at the rate of two dollars a week. The sum which she receives by the order of the Court, together with what she can earn, will enable her to live in peace and comparative comfort for the future.

NUMBER 11—Was the case of a discharged soldier who had lost a leg at the battle of Chancellorville. An artificial limb had been supplied to him by the Government, but it had by use become so much out of repair that he was unable to walk with it. As he was a friendless stranger in our city and unable to walk about, he was picked up by the Police and taken to Prison. The Agent took charge of him, procured him a pair of crutches from the Sanitary Commission and saw that he was released from Prison. He afterwards procured him a railroad ticket and gave him some money to supply his immediate wants, to enable him to reach his friends in Norfolk.

NUMBER 12—Was the case of a young man of respectable connections, not yet of age, who was of unsound mind; this circumstance caused him to be an especial object of his mother's affection and care. The prisoner had been invited to accompany a serenading party, and when he left home he put a billy or black-jack in his pocket, which was in the house and belonged to his uncle, who is a Police officer. The party were arrested and fined for disorderly conduct, upon payment of which fine they were all discharged except the prisoner, who was committed to Prison for carrying a concealed weapon. When his mother heard of his imprisonment it had such an effect upon her as to cause her to drop down dead. It was the first time that her son had been in trouble or that any of the family had ever been in Prison, and her excitement and grief on the occasion were so strong as to cause her to lose her life. Her daughter informed your Agent of all the circumstances of the case, which were promptly settled and the prisoner was immediately released, which enabled him to attend the obsequies of his mother.

NUMBER 13—Was the case of a poor woman who had been badly beaten by her drunken husband, who, after abusing her in the most shameful manner, had her committed to Prison upon the charge of assault and battery. Her battered and bruised person gave unmistakable evidence of the injuries he had inflicted upon her. As she was not guilty of the offence with which she was charged, and as she had little children depending upon her for support, the Agent interfered and informed the Court of all the circumstances in the case, when she was immediately released from Prison.

NUMBER 14—Was the case of a colored man who had been tried, convicted, and sentenced to nine months' imprisonment upon the charge of not refunding the sum of one hundred dollars which had been given to him, as it was alleged, by a discharged soldier to keep for him. The Agent investigated the case and brought

into Court seven witnesses to testify that the prosecutor was drunk at the time when he said he gave the money, and that his testimony against the prisoner was untrue; that prosecutor had no such money, and that he could not have given it at the time stated, as they were then in the company of the prisoner and no such money was seen. On representation of the facts, the Judge ordered the sentence to be reconsidered and the prisoner was released. This was not objected to by the prosecutor, whom the Agent had subpoenaed to be present at the time.

NUMBER 15—Represents three sailors who had been tried, convicted, and sentenced to six months' imprisonment, each, upon the charge of stealing a box of candles from a ship on which they were employed. They were British subjects, and arriving here from the port of St. Johns they needed some of the money due to them, which the Captain refused to pay. They then publicly took the box of candles with the intention of disposing of it, and thus to raise the money, expecting that the Captain would charge the value of the box to their account. This, however, he declined to do, but had them arrested and convicted as above stated. The Agent then made application to the Captain for the clothes and bedding belonging to the prisoners, as also for the wages due to them, amounting to eighteen dollars in gold each, but could only succeed in getting a portion of their clothing, the Captain refusing to give up the remainder as well as to pay them any wages at all. The British Consul was informed of the circumstances of the case and it was only through his interference that the Captain could ultimately be made to give up the prisoners' property and pay the wages due to them. The Agent informed the Judge of the conduct of the Captain and at the same time asked for a reconsideration of the sentence, which request was complied with. The prisoners were liberated, taken charge of by a shippingmaster and again sent to sea.

NUMBER 16—Was a boy about sixteen years of age who was accused of larceny. An investigation showed his entire innocence of the offence for which he had been committed to Prison. He was immediately discharged.

NUMBER 17—Was a man whom the Agent found in the Prison suffering from small-pox. He obtained his release and, upon an order from the Board of Health, had him removed to the Small-Pox Hospital. Prisoner had been accused of stealing a blanket, which, upon investigation, proved to be his own. This is one of the many cases illustrating the very serious consequences which innocent persons are made to suffer through these false and premature arrests. This man had taken the small-pox while thus improperly imprisoned at a time when that disease existed in the institution.

NUMBER 18—Was also a case of small-pox. The sufferer was a man who had been convicted and sentenced for larceny. The Agent got his sentence reconsidered by the Court, procured an order from the Board of Health and had him removed to the Small-Pox Hospital.

NUMBER 19—Was a woman who had been arrested with a bundle of clothes in her

hand on suspicion of having stolen the same. The Agent's investigation satisfied the Magistrate that the clothing was her own. She was immediately discharged.

NUMBER 20—Five prisoners, committed for various slight offences, were found to be insane. The Agent obtained their release from Prison, procured an order from the Guardians of the Poor to admit them in the Insane Asylum at Blockley and saw that they were taken there.

NUMBER 21—Was the case of an industrious woman who had been committed upon the charge of stealing a tablecloth. Upon investigation the Agent found that she was not guilty of the offence and, a *nolle prosequi* having been entered by the Court with the consent of the prosecutor, the prisoner was liberated. She had got into the difficulty by being over anxious to please the lady who employed her. This lady had been unexpectedly visited by some friends, who had come to take tea with her. Her best tablecloth being in the wash-tub and not in a condition to be used, the prisoner was desirous to help her out of the difficulty and went to a neighbor, where she was known, and asked them to loan her mistress a tablecloth, the lady declined to do so, upon which prisoner went to the next door neighbor and there asked the same favor, but this time asked it in the name of the lady who had just refused to lend the article to her mistress. The request was complied with and the cloth handed to her, but it was noticed that she did not take it to the lady for whom it had been borrowed, but to a house further on. A Police officer being near at hand, he was informed of the circumstance and sent after the prisoner whom he arrested while in the act of setting the table, which was covered with the tablecloth in question. She had no intention of stealing it, but only borrowed it with a view to accommodate her mistress, and would have returned it after it had been used. She was well known to the prosecutrix and the arrest was inconsiderate and unnecessary and caused much suffering to prisoner and her children.

NUMBER 22—Was a woman who had been committed upon the charge of threatening the Clerk of the Market. He had rented her a stall for which she had paid him forty dollars (\$40.00) as advance rent. Upon objection being made by the renters of other stalls, the Clerk prevented her from using the one she had rented, and because she persisted in doing so he had her arrested upon the charge of threats. The Agent saw the prosecutor, had the case settled, obtained her release from Prison and prevailed upon the Clerk to return her the forty dollars (\$40 00) which she had paid in advance.

NUMBER 23—Was a woman whose husband, in a state of intoxication, had beaten her in a most shameful manner; her body showed the marks of the terrible blows which he had inflicted upon her, and the injuries she had received rendered her unable to get out of bed for several days after she had been brought to the prison. After thus ill-treating his wife, the husband went to a magistrate and had her arrested, together with his brother, charging both with disorderly conduct, upon which they were committed to prison, while he in fact was the only disorderly person connected with the case. The Agent, on fairly placing the facts before the magis-

trate, obtained a discharge for both prisoners, and this much injured woman returned home with the assurance that the Agent would use his influence with the husband to prevent, if possible, the cruel treatment for the future.

NUMBER 24—Was a discharged soldier, a person of good address and gentlemanly in appearance. He had until recently been a widower with two children, but was now married to a very young woman, who refused to live with him until he would be able to furnish a house such as she deemed suitable, and in such a way as she had been accustomed to at her mother's. He had provided two rooms and furnished them nicely, but this was no inducement to his chosen one, who, on the contrary, after vowing to love and obey, etc., returned to her mother's house and refused to perform any part of her matrimonial duties until as above stated he could provide a more elegant home. To get rid of the annoyance, which his frequent applications at her mother's house for his lawfully wedded wife caused her, she applied to the Court for a divorce, stating that when she married him it was with the intention of bettering her condition. As he was still persistent, notwithstanding her divorce suit, she, by the advice of her counsel, had him arrested and sent to prison on the charge of a breach of the Peace. The Agent interfered and had him discharged.

NUMBER 25—Was a boy sixteen years of age, who was employed by a man to drive a horse and wagon. This man directed him to a heap of old iron, which he said he had purchased, and told him to take it away. Prisoner of course did as his employer desired him, and was in the act of hauling away when the owner of the iron had him arrested upon the charge of larceny. When the case came up in Court he pleaded guilty to having taken the iron; sentence was deferred, and he remained in prison three months without the case being finally disposed of. The Agent drew the attention of the Court to the foregoing facts, when the Judge ordered the immediate discharge of the prisoner, but directed that his employer, who had meanwhile been arrested and committed to prison, should be held to answer.

NUMBER 26—Was the case of two young girls who had come to this city, where they had no friends, in search of employment. Failing in this object, and want and hunger tempting them, they went into an oyster saloon and got some refreshments. Unable to pay for what they had eaten, they were sent to prison on the charge of misdemeanor. The Agent, with the consent of the prosecutor, procured their release, and furnished them with some money to supply their immediate wants and to take them home to their parents in Holmesburg.

NUMBER 27—Was a worthy colored man who was employed as a teamster, and had been imprisoned upon the charge of reckless driving. His horses had become restless on the road, and being unable to check their speed his wagon came in contact with prosecutor's vehicle, doing some slight damage. For this he was arrested and had been detained in prison for nearly seven weeks, his wife and several little children suffering great distress for want of his support. The Agent brought the case to the notice of the District Attorney, who accompanied him to Judge Allison and interceded for the prisoner, when he was released from prison and allowed to

return home. The Agent had seen the prosecutor, and offered to compromise the difficulty by paying a reasonable amount for any damage he might have sustained, but this he declined, and demanded a much larger sum than the damage amounted to. It was evident that he desired to make money out of the prisoner's misfortune.

NUMBER 28—Was the case of a colored woman. She was in the habit of going daily to a restaurant, where she was employed as cook, always taking her little child with her. While thus employed she took some food of little value, concealing it with the intention of taking it home with her on her return at night. The proprietor of the establishment called in a police officer and had her taken to prison, without affording her an opportunity of taking her little child with her. On inquiry, it was ascertained that the child had been sent to the Almshouse sick with scarlet fever. The prisoner's grief on hearing this, and herself separated from her sick child, was truly distressing. The Agent made a strong appeal to the proprietor to abandon the prosecution, to which he finally consented, and the prisoner was released, thus enabling her to look after her sick child.

NUMBER 29—Was the case of a young girl about sixteen years of age, who had been induced by an older person to pawn a stolen article. The Agent obtained her discharge from the alderman, procured an order and had her taken to the Howard Home, where she will be cared for and made a wiser and better girl.

NUMBER 30—Was an intelligent man, in prison for the first time, who was charged with threatening his mother-in-law. He had suspected this good lady of making trouble between himself and his wife. The Agent enquired into the case; an explanation was made, which showed the prisoner's suspicion had been without foundation; the parties were reconciled, the prisoner released, and all went home good friends.

NUMBER 31—Was a colored man who had been charged with stealing a medallion containing the likeness of a female. The article had been given to the prisoner by the woman whose likeness it contained. This caused the prosecutor to become jealous, and he sought revenge by accusing the prisoner of stealing the medallion, which he said belonged to him. Upon investigation it was ascertained that the prosecutor had been a convict, that he had been again arrested and committed to our prison while this case was pending, and had been sent to Baltimore to be tried for a high crime. When these facts were ascertained, and it was moreover shown that the article in question did not belong to the prosecutor, the prisoner was discharged.

NUMBER 32—The Agent's attention was drawn to the case of a man who had been committed to prison, charged with the larceny of a chair. Upon investigation, it was ascertained that the chair was his own, that he had bought it, and paid for it. The Agent saw that he was released, when an order was given to him by the Alderman to obtain possession of the chair from the party who had claimed it.

NUMBER 33—Was the case of a young girl about eighteen years of age, who had come from Washington on a visit to her sister. Having heard much of the beauty

of Fairmount Park, she went to see it, and while there plucked a flower, not aware that she was violating the rules by doing so. For this offence she was arrested and committed to prison. Her incarceration had a most disastrous effect upon her health and mind: she was thrown into spasms, and in this condition bit her own person severely. But for her immediate release, the results might have been damaging to her mind. The Agent, after having obtained her discharge, procured a railroad ticket, and supplying her with some money, sent her home to Washington.

NUMBER 34—The Agent's attention was drawn by the Prison Physician to the case of a dying man. He had been arrested while in the act of presenting an order for some money which was due to a man that died in the Hospital. This order was a forgery, and the prisoner was charged with having committed this offence, and sent to prison. An investigation showed that the prisoner did not know the order was forged, but was merely the dupe of a third party, who, after getting him into this difficulty, had escaped from justice. The Agent explained the facts of the case to the District Attorney, obtained his discharge from prison, and procured an order from the Guardians of the Poor to take him to the Hospital, where, notwithstanding the most careful and prompt attention, he has since died. He was a sailor, whose health had been impaired by having been shipwrecked on our coast, where he was found in an exhausted condition, and, together with a comrade, who also died in that institution, were taken to the Hospital in our city.

NUMBER 35—Was the case of a sick and feeble woman, who had given birth to an infant but one week previous to her incarceration. The child was still-born, in consequence of the brutal treatment which she had received at the hands of her husband, who again, in a state of drunkenness, and while she was in this feeble condition, had beaten her unmercifully, and then caused her to be imprisoned on the charge of misdemeanor. The Agent explained the case to the Magistrate, and obtained her immediate release.

NUMBER 36—Was the case of a mother, with a baby in her arms but a few weeks old, who had been committed upon the charge of assault and battery. Both mother and infant suffered severely from the heat and confinement in the prison-cell. The difficulty arose through one of prisoner's children striking a neighbor's child, whose mother, in retaliation, struck prisoner's child; upon which prisoner rushed to the rescue, and struck the prosecutor for beating her child. For this she was sued and sent to prison. The Agent interfered on her behalf; she was released, and permitted to return home and take charge again of her little family.

NUMBER 37—Was the case of a woman charged with the larceny of a bonnet. She remained in prison nearly three months before the Agent succeeded in procuring her release. Her case was a very distressing one, from the fact that she had a family of small children who were left all the while without a mother's care and attention. Herself and husband had occupied part of a house together with a man and his wife; the latter, after long sickness, had died in the house. Prisoner had nursed her during her sickness, and assisted in preparing the body for burial, for which services prosecutor had only paid her one dollar and a quarter. She thought

it would be no harm to take the deceased woman's bonnet, which was lying in the room, and which she thought could be of no use to the husband. The Agent had frequently drawn the attention of the District Attorney to her case, but as the prosecutor did not appear, she had to remain in prison until the Agent, by perseverance, finally succeeded in obtaining her discharge.

NUMBER 38—Was the case of a young German, who boarded at an emigrant-house, the proprietor of which became jealous of him, and had him arrested, accusing him of an improper intimacy with his wife. Being unable to give bail, he was committed to prison, where he remained over five months, as the prosecutor did not appear against him, although several times notified by the Agent to do so. The latter finally succeeded in getting him discharged, by stating to the Court that the prosecutor was living comfortably and amicably with his wife, was doing a prosperous business, and would not prosecute. Upon this explanation the Judge ordered him to be released.

NUMBER 39—Was a case of great hardship. A good, industrious, and respectable woman, who kept a little store for the sale of green-groceries, had been imprisoned at the instigation of her husband, upon the charge of threats and assault and battery. Of the latter she was not guilty. Her prosecutrix was a good-looking young girl, about seventeen years of age, whom the husband had taken out of the House of Refuge to live with them. An improper intimacy had evidently commenced between this girl and the husband; upon which the wife, excited by jealousy, ordered her out of the house, and upon her refusal to leave, threatened to put her out by force if she did not go at once. The girl still refused, and was sustained in this by the husband, who gave her money to sue his wife and imprison her on the above charges. Some of the neighbors came to the prison and informed your Agent of these improper proceedings, which had, without doubt, been instituted to get the wife out of the way, so that the husband and the girl might have the house to themselves. She was not many minutes in prison when the Agent went to the Magistrate, explained the case, and procured her discharge. At eight o'clock in the evening he went to the house of the prisoner, where he found the window-shutters and doors closed, and no light in the house; the door was opened, and the young girl made her appearance, accompanied by the prisoner's husband; they had been closeted together in the dark. The Agent informed the husband, in a manner not to be misunderstood, that he was going to protect the prisoner in her right; that he, the husband, must at once order this girl from the house, and thereby remove the cause of the quarrel between himself and his wife. Their improper conduct had excited the just anger of his wife, and the indignation of his neighbors. The Agent rebuked them for their indecent proceedings, told them that he had obtained a discharge for the wife, and that she was coming home to take charge of her house and her business. The girl consented to leave, and the husband promised to be more kind to his wife in the future.

NUMBER 40—Was the case of a little girl about fourteen years of age, of respectable parents. She had been arrested on the charge of an attempt to steal

ninety pennies. The Agent had her brought before the Court upon a writ of *habeas corpus*, when she was discharged by the Judge. She entered a store, on the counter of which stood a box containing these pennies, on which box, out of childish curiosity, and in the presence of the owner, she put her hand, without any intention, as she says, of stealing the money. The Magistrate who committed her, said that he never intended her to go to prison, but would not give a discharge for her, unless he was paid two dollars and fifty cents (\$2 50) costs. This the Agent refused to pay, and brought her before the Court, when she was released.

NUMBER 41—Was a man who had been committed to prison by the same Magistrate, upon the charge of misdemeanor, which consisted of his begging pennies from the market people while intoxicated. It was said that the pennies thus received were received under false pretences. He was scarcely in prison when a police officer brought a man to go his bail, provided the prisoner would give him a deed conveying four lots to him, valued at three hundred dollars each, and which the prisoner owned. This was asked to enable the man to be eligible to become his bail, and get him out of prison. At this stage of the proceedings the keeper, who had charge of the prisoner, suspecting that they intended to rob him, advised him not to enter into any such arrangement, as the Prison Agent would see to his case, and if possible, have him released. The Agent then made application to the Court for a writ of *habeas corpus*, and notified the Magistrate and the parties concerned to appear. Subsequently the Magistrate asked the Agent to withdraw the proceedings and he would give a discharge *without costs*, which he had previously refused to do. The discharge was given and the prisoner released.

NUMBER 42—Was the case of an intelligent young girl, who had been imprisoned on the charge of stealing an old shirt. The prosecutor was prisoner's former landlady, and was offended because the latter had left the house, where she had not only formed an attraction to other boarders, but also made herself very useful in the family. Her object was to frighten the girl so as to compel her to return to her house. The Agent saw the owner of the shirt, who was also a boarder in her house, and who said that she had not stolen the article, but that he had given it to her to mend. He made this statement before the Magistrate, when the young girl was discharged. Prosecutrix paid the costs.

NUMBER 43—Was the case of a worthy woman, the widow of a soldier, who earned her living by washing. Among the clothing sent her to be washed, was a pair of pantaloons, with a check on a bank for \$263 in one of the pockets. Not being able to read herself, she showed it to a man standing near at the time, and asked him what it was. He told her that he would inquire of a friend about it, walked off with the check, had it cashed, and left the city with the money. She was afterwards arrested and committed to prison upon the charge of misdemeanor, for having parted with the check. Her little girl, about thirteen years of age, walked daily from the extreme end of Kensington to the prison, in the hottest season, to bring her mother coffee, and other little comforts; she had to walk because she had no money to pay

for riding in the cars. This circumstance induced the Agent to believe that the mother had been no party to the theft, or received any portion of the proceeds of the check. The Agent laid all the facts of the case before the District Attorney, and asked if something could not be done at once to release this woman, as there was no evidence of guilt on her part. He readily consented to liberate her by taking the Agent for bail for her appearance, if necessary. She was discharged from prison and permitted to return home. The Agent supplied her with counsel, and volunteered to pay the necessary expenses of any effort that she might make to have the man who stole the check arrested. He has since been caught, and committed to prison. The theft has been acknowledged by him, and a portion of the stolen money restored to the owner, thus fully establishing the innocence of the woman.

NUMBER 44—Was a discharged soldier, who had lost both legs below the knee in defence of his country. He was committed to prison on a charge of misdemeanor. His offence consisted of his owing about fifty dollars for board, which he was unable to pay. As imprisonment for debt is abolished in this State, the Agent demanded of the prosecutor to go to the Alderman and ask for the immediate release of the prisoner, which request was complied with, by prosecutor paying the costs and obtaining the discharge from the Magistrate. He then accompanied the Agent to the prison, made friends with the prisoner, and offered to take him back to his house to live. This, however, was not accepted, as the Agent had already provided a home for the prisoner and his wife, where they would be cared for without expense until he could get employment or obtain subscriptions for his performances on the hand organ. The wife was a German woman, and could speak very little English. She had been in great distress, as the prosecutor had turned her out of doors when he sent her husband to prison. So soon as these facts were known to the Agent, he had her taken into the prison and cared for until her husband was released.

NUMBER 45—Was the case of a young girl, charged with the larceny of a tobacco-pipe, which she had playfully taken in the presence of the owner, and given to a young man of her acquaintance. The owner made no objection at the time; but for some reason best known to himself, in three weeks after he sued her, and had her committed to prison. The Agent saw that the prosecutor was paid for the pipe, which was of little value, upon which he consented to go before the Magistrate to have the case settled; but this officer demanded \$4 50 for costs, payment of which the Agent refused. Prosecutor then went before the Grand Jury, who ignored the case, and the young girl was released.

NUMBER 46—was the case of a wounded soldier, who had been robbed of thirty dollars (\$30 00) in a public house, while intoxicated. He accused the proprietor of having committed the robbery, and had him arrested and bound-over for the offence. The accused in return sued the soldier, and had him committed to prison upon the charge of assault and battery. When the Agent asked him to consent to the soldier's release, he refused, because the latter had accused him of the robbery. The landlord declared that he was innocent of that charge, and that he was not on

the premises at the time the robbery took place, but that he was in another part of the city. The Agent carefully investigated the case, and found the landlord's statement to be true, and that he had, indeed, been innocently accused. The soldier had been robbed by three men, one of whom had since been arrested for the offence, and admitted his guilt. The soldier apologized to the landlord for the mistake he had made in prosecuting him wrongfully while under the influence of liquor, and withdrew the charge; the prosecutor at the same time withdrawing the charge of assault and battery which he had instituted against the prisoner. Thus both cases were settled at the expense of the landlord, who paid the costs, and then generously made the soldier a present of five dollars to help him along. They left the prison together good friends, each thanking your Agent for his kindly interference. The real thief remains in prison to be tried.

NUMBER 47—Was the case of a man and his wife, intelligent contrabands; the woman particularly, being well educated and possessing a quantity of good clothing, with her name written on each article. They were unfortunate in locating themselves among dishonest persons, who, professing to be their friends, robbed them of their clothing. On being charged with the robbery, and threatened, they denied the theft, and one of them, a woman, was sued; having entered bail for her appearance at Court, she in her turn sued both prosecutors whom she had previously robbed and had them committed to Prison on the charge of assault and threats. This was done by the thief in order to frighten the prosecutors, who were strangers here and without friends, into a settlement of the case and thus defeat the ends of justice, without success however, as your Agent immediately entered bail for them and succeeded in releasing them at a late hour on the same day they had been committed. At an early hour the following morning—the morning of Thanksgiving day—the poor woman came to the house of your Agent for protection, very much frightened, since the prosecutrix, on learning that both husband and wife had been liberated, had threatened to have them re-arrested forthwith. The Agent promised her his immediate assistance to the fullest extent of his power, and accompanied her at once to the house of the thief, doing this all the more cheerfully as it happened to be on a day that specially reminds us of the many blessings received and of the duty we owe to our less fortunate and suffering fellow creatures. Arrived at the house, the Agent succeeded in frightening the thief into a confession as to where she and her daughter had pawned the things, and insisted upon her going with him to the place. This they found closed, it being holiday, but when the proprietor had been found, he consented to open his shop and give up the stolen property. The thief pointed out eighteen articles of clothing which she had stolen from the prisoner and pawned there, all of which were handed over to the poor woman who had been victimized, and who now went her way rejoicing in the possession of her property and without fear of being re-arrested. The case of the thief is now in Court to be tried.

All this was accomplished in time to enable the Agent to get to church to listen to a thanksgiving sermon, after which he succeeded in another case of an unusually interesting character. It was

NUMBER 48—The case of an intelligent man of industrious habits, who came to this country and established himself in a nice little business—a China store—in the outskirts of the city. As soon as he had accumulated sufficient money to pay for the passage of his wife and six children from England to this country he sent for them. When they arrived in this city, the husband and father received them in the most affectionate manner, took them at once to his home and treated them very kindly. They assisted him in his business, and all went on well with him and his family, until some evil-disposed neighbors put mischief into his wife's head. They told her that her husband had been frequently seen in company with his former house-keeper and that they believed an improper intimacy existed between them; that she ought to prosecute them in order to put a stop to their interviews. Acting upon the advice of her neighbors, at a time when she was in the highest state of excitement from jealousy, she sued and prosecuted them to a conviction. They were tried upon the charge of adultery, convicted and sentenced to an imprisonment of six months each. This sentence was not at all satisfactory to the wife who said she did not understand the case; that her only object was to convict the woman, and put *her alone* in prison, but not the husband, as it was necessary that he should have his liberty in order to support her and the children. She then came to your Agent and stated her distressed condition, asking his interference to have her husband released. She said that he had always been very kind to her and treated his family well; that she was very sorry for having prosecuted him, and she feared in her great excitement she had misstated his case to the Court, and that she could not rest in peace until he was liberated. The Agent accompanied her to the Judge who sentenced him, stated her case and asked for a reconsideration of the sentence under the circumstances. The Judge peremptorily refused to release him, but had previously, at the request of the Agent, consented to release the woman, as she was a soldier's widow, had a child depending on her for support and was of industrious habits. When the wife learned that the woman had been released and her husband still in Prison, she became perfectly frantic and insisted upon his immediate release. The Judge having refused she persisted, in constantly presenting to the Agent the condition of herself and children, and would every few days bring them to his house or to the Prison, and beg for the release of her husband, saying that she had wronged him and could not rest until he was liberated. She also stated that the Guardians of the Poor had refused to do anything for their support, as they presented such a genteel appearance. The Agent, pitying the woman and her children in their helpless condition—strangers in this country—told her to come with all her family into Court at a certain hour on the following Saturday, when he would again present her case to the Judge, and, with the aid of counsel, have it fully explained, and do everything in his power to induce the Judge to reconsider his sentence and thus save her family from separation and ruin. Before the appointed time arrived Thanksgiving day intervened, when the Agent saw the Judge in church. After an affecting sermon by the Rev. Albert Barnes, a discourse well calculated to soften the hearts of all who heard it, the Agent accompanied the Judge to the vestibule, saying: "Judge, this is a day of thanksgiving, a time when our hearts should be filled with thankfulness and a disposition to show mercy to the

oppressed; you are a Judge and have it in your power to release a prisoner, whose liberation would not only gladden his heart, but that of a wife and six children, and if you consent to his immediate release, I will see that he is discharged in time to join his family at a thanksgiving dinner, if they have any to give thanks for." It so happened that the Agent had a transcript of the case with him at the time, which he presented to Judge Allison, who stepped into a neighboring drug store and wrote upon it, "Sentence reconsidered, discharge the prisoner." This was cheerfully done, to the great satisfaction of many persons who witnessed this truly noble act of the Judge, who virtually said to the poor man: Go, and sin no more! In less than half an hour after he was released, some money given him by the Agent and taken to the cars that carried him to his home. To him it was indeed a day of thanksgiving to his heavenly father, who permitted him to be liberated and once more to return to his family. He said that he willingly forgave his wife for the great wrong she had done him in causing him to be imprisoned, an occurrence which nearly brought about their ruin, and which she heartily repented of, as her subsequent conduct showed. He expressed his gratitude, with tears in his eyes, for the Agent's friendly interference, and solemnly declared that he was not guilty, although he admitted that he had several times met the woman in a friendly way, but with no improper intentions whatever.

NUMBER 49--Was the case of a man who had been unlawfully committed to the Debtors' Prison as a witness in a murder case. When he had been in prison about two months, the Agent discovered that the murderer had never been arrested, but that he had fled and left the country. Notwithstanding this fact, this innocent man was kept in Prison as witness. The Agent had him brought before the Court, when he was discharged with the consent of the District Attorney, the Coroner and all parties concerned. He was a respectable German and had never before seen the inside of a Prison.

NUMBER 50--Was a similar case, where a man had been committed to the Debtors' Prison by an Alderman as a witness in a larceny case. After he had been confined three months, the Agent, upon inquiry, ascertained that the case had been disposed of by the Court some time since, and the party convicted without the testimony of the prisoner, his evidence not being considered necessary. Both of these men were illegally imprisoned, as your Agent had a law enacted, some years ago, abolishing imprisonment of witnesses, except in certain cases, when satisfactory proof had been given to the Court that the witness had been tampered with, was about to leave and would not appear, which was not the case with either of the above prisoners.

NUMBER 51--Was the case of a man who had been committed to the Debtors' Prison for one dollar (\$1.00) being the amount of damage accidentally done to prosecutor's coat. He was unable to pay for this at the moment, but expressed his willingness to do so as soon as he could earn the money. Notwithstanding this promise he was sent to the Debtors' Prison, and held there for one dollar (\$1.00.)

the amount of damage, and three dollars (\$3.00) costs, at the instigation of the landlord at whose house both prosecutor and prisoner boarded, the latter with his family. After he had been imprisoned three days, prisoner's wife came to your Agent to ask him to get her husband out, and begged that herself and child might meanwhile be taken into the Prison with her husband, since, in consequence of his incarceration, she was destitute of all necessities of life and without a home. After giving her some money, to supply her immediate wants, the Agent went to the Alderman, offered the dollar for the damage and asked for the prisoner's discharge, but found that this official would not release the prisoner without both damage and costs were paid. The Agent then offered himself as bail for prisoner, but learned that the law does not allow of bail being taken in commitments of this character. He now went to the landlord who had instigated this prosecution and who admitted that the damage had been done in a purely accidental manner. Having held out to him the cruelty and injustice of subjecting a man to imprisonment and his family to want and ruin for a mere accident, of so paltry an amount as one dollar; he saw his error and accompanied the Agent to the Alderman, where he paid the costs, and the Agent paying the dollar for the damage, the prisoner was liberated after five days' incarceration. He was thus again enabled to earn an honest living for himself and family, instead of being kept in Prison for months, as might otherwise have been the case, at an expense to the public of thirty cents a day, which the Jailor charges the city for a prisoner's board. This man was the only prisoner in the jail at the time. This institution is supported by the city at an annual cost of over two thousand dollars, independent of the charge for the board of prisoners, and mainly oppresses the poor, since imprisonment for debt has been abolished, and only such unfortunate beings, as in the present case, who have not the money to pay for an accident, however paltry in value, have to suffer from it.

NUMBER 52—Were two women who had been committed by two different Aldermen, one upon the charge of larceny, and the other for malicious mischief. When one had remained in prison for three months, and the other for six weeks, without their cases having been disposed of, and both saying that they were entirely innocent of the charges upon which they had been committed, the Agent drew the attention of the District Attorney to their imprisonment. It was then ascertained that there had been no return made of their cases by the committing Magistrates to the Court. The Agent went to the Aldermen, asking for these returns, and was informed by each of these officials that he had no recollection whatever of having committed either one of these women, and they had no record of the cases. When the Agent informed the District Attorney of this fact, he instructed the Clerk of the Court to discharge the prisoners.

NUMBER 53—Was the case of an intelligent young man, who had been imprisoned upon the charge of embezzlement. It was one of great hardship for the prisoner, who had a wife and children in New York, entirely dependent on his exertions for support. His prosecutor had induced him to come to this city to canvass for his Directory, but being a stranger here, he was not very successful; and when he ran

short of means to procure the necessities of life, he appropriated one dollar of his employer's money, which he had collected from subscribers for additional advertisements, intending to repay it out of the salary and commission due to him on the following Saturday. But before this day arrived he was arrested and committed to prison on the charge of embezzeling the dollar. Your Agent immediately interested himself in his behalf, and ultimately obtained his discharge from the Court, with the consent of the prosecutor and the District Attorney. Prisoner's health had been greatly impaired from the mental suffering which he had undergone while in prison. The Agent gave him some money, and saw that he was supplied with a railroad ticket to take him back to his family in New York.

NUMBER 54—Was the case of two colored men, both named Jones, not relatives, but both members of the same church. This church was in debt, and an appeal had been made by the Pastor to the congregation to liquidate the same. The congregation did not contribute sufficiently, and these two men, one of them a clergyman himself, prepared two subscription books, and went as a self-constituted committee to collect from the public, with the intention of applying the funds so received to the liquidation of the debt. They had not proceeded far in asking for subscriptions when they were arrested, and charged with obtaining money under false pretences, at the instance of an officious member of the church, acting on his own authority. The evidence not being sufficient to justify a final commitment, they were remanded for a further hearing, and meanwhile lodged in prison. The Agent found them here in great mental suffering; the mere idea of being wrongfully imprisoned had a very serious effect on their minds. He immediately informed the Magistrate of their condition, and asked for their release, as it did not appear that they had intentionally done any wrong. The Alderman refused to release them, but was induced to go to the prison and see them in their distressed condition. After he had visited them, he promised the Agent that he would discharge them on the following Tuesday, the day fixed for the final hearing. On that day one of these two men died in prison, and a discharge having been obtained for the other, he died before he could be got to his house. Soon after the Agent visited this latter man's family, and found them in the greatest distress at the untimely end of their husband and father, caused through his imprisonment.

